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Application Serial No. 09/777,969

REMARKS

Claims 1-10, 14-23, 27-35, 60-67, 73-83 and 86-87 are pending in this application, with claims 1, 14, 27, 60, 73, 77, 80, 81 and 86 being independent. Claims 11-13, 24-26, 36-59, 68-72, 84, and 85 have been canceled without prejudice or disclaimer, further to Applicant's election in a June 2, 2004, Response to Restriction Requirement. Claim 88 has been cancelled, without prejudice or disclaimer, to expedite the prosecution of this case. Claims 1, 14, 27, 60, 73, 77, 80, 81 and 86 have been amended. Favorable reconsideration and allowance are respectfully requested.

Claims 1-4, 6-8, 10, 27-30, 32-33 and 35 have been rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,573,825 (Okano). Claims 73-77, 79-81, 83 and 86-87 have been rejected under Section 102 as anticipated by U.S. Patent No. 6,094,587 (Armanto et al.). Claim 88 has been rejected under 35 U.S.C. § 103(a) as obvious from U.S. Patent No. 6,606,508 (Becker et al.). Claims 5, 9, 31 and 34 have been rejected under 35 U.S.C. § 103(a) as obvious from Okano in view of U.S. Publication No. 2001/0014646 (Matsuda et al.). Claims 14-18, 20-21 and 23 have been rejected under Section 103 as obvious from Okano in view of U.S. Patent No. 6,707,908 (Nagasawa); claims 60-67 have been rejected as obvious from Okano in view of Armanto et al; claims 78 and 82 have been rejected as obvious from Armanto et al. in view of Becket et al; and claims 19 and 22 have been rejected as obvious from Okano in view of Nagasawa and further in view of Matsuda.

The rejection of claim 88 has been rendered moot by its cancellation. The remaining rejections are respectfully traversed.

Conventional telephones typically generate some type of alerting signal, such as a

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ringing tone, in response to receiving an incoming call signal, to alert the user of the receipt of a call. Most conventionally, a telephone is capable of generating only one type of ringing signal, and generates that signal whenever a call from any source device is received. With such conventional telephones, therefore, the user has no idea who the calling party is until he or she picks up the handset and the calling party identifies itself.

In the past several years, caller identification systems have been developed to inform users of the identity of a calling party before a conversation begins. Such caller identification systems process the incoming call signal to determine the calling telephone number and/or the actual identity (such as the name) of the calling party, and present that information to the user on a visual display, such as a liquid crystal display. When the phone rings to indicate the receipt of the call, the user typically walks to the phone, looks at the display and makes a determination as to whether he or she wants to pick up the handset and have a conversation with the caller.

A primary drawback of such caller identification devices, however, stems from the use of a visual display to convey information. More specifically, because those systems present the identification information in a completely visual, rather than audible, format, they require the user to be at the telephone or at least in close enough proximity to view the display, in order to know who is calling. Thus, a called party who is, for example, watching television in the living room, and whose telephone is in the kitchen, would need to get up, walk to the telephone, and look at the display, perhaps only to determine that he or she does not want to take that call in the first place. Such occurrences can be frustrating and annoying to the user.

At least some telephones and Private Branch Exchanges (PBX) equipment have

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the capability to enable very crude audible caller identification. For example, some private network telephones (such as telephones used in an office environment) generate one type of ringing sequence (such as a single ring) in response to calls received from equipment located in the network, and another type of ringing sequence (such as two very close temporally-spaced rings) in response to calls being received from equipment located outside of the network. By recognizing the ringing sequence, the called party can discern if the call is an "inside" or "outside" call. In some cases, office telephones are configured to both ring in different sequences for inside and outside calls, and to visually display the name and/or number of the calling party. The caller audible identification enabled by such systems, however, is extremely rudimentary, in that it distinguishes only between inside and outside calls and does not give any further indication as to the identity of the calling party.

Speaking generally, the present invention overcomes these drawbacks, by providing systems and methods which distinguish the origin of calls through the use of differing audible signals, in a novel manner that is neither taught nor suggested by the prior art.

The Rejection Of Claims 1, 14, 27 and 60 In view of Okano

As recited in independent claim 1, the present invention relates to a method of operating a user communication device, such as for example a telephone. The method includes the steps of providing a pre-configured and complete digital representation of an audible signal in each of plural memory locations, with the audible signals being unique with respect to one another. In response to receiving a call signal at the device, one of the memory locations is selected. Then, the audible signal represented by the pre-configured and complete digital

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representation that is in the selected memory location is generated.

Independent claim 14 is directed to a user communication, such as for example a telephone. Independent claim 27 is directed to a program product that includes code for operating a user communication device. Independent claim 60 relates to a communication system. All of these claims recited many of the salient features of claim 1 discussed above. In particular, all of these claims recite storing pre-configured and complete digital representations of audible signals in each of plural memory locations, the audible signals being unique, selecting a memory location in response to a call signal and generating or outputting the audible signal that corresponds to the pre-configured and complete digital representation in the selected memory location.

Okano relates to a portable communication terminal that has a control unit 1 and a memory 3 containing a correspondence between numeric characters 0-9 and musical scale data, as shown in Fig. 2. In Okano's so-called simple alerting mode, when an incoming call comes that includes a caller phone number, the control unit reads the digits and the phone number, determines the scale data corresponding to each digit and produces an audible alerting pattern that is a concatenation of each piece of scale data. In this manner, the pattern of alerting data is produced on the basis of the called number.

The Okano memory may also include a correspondence between character data (such as letters of the alphabet) and musical scale data, as shown in Fig. 5. With such information, in a so-called name alerting mode, the incoming number is corresponded to a stored name, and the stored name is translated to an audible pattern using the Fig. 5 list.

However, and as can be readily seen there is nothing whatsoever in Okano that

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teaches or suggests storing pre-configured and complete digital representations of audible signals in plural memory locations, selecting a memory location and generating an audible signal that corresponds to pre-configured and complete representation. To the contrary, the audible alerting patterns that are generated in Okano are not pre-configured at all, but rather, are constructed on-the-fly, based upon the incoming phone number. This fundamentally different approach cannot possibly anticipate or render obvious the invention as recited in claims 1, 14, 27 or 60.

The Rejection of Independent Claims 73, 77, 80, 81 and 86 In View Of Armanto

As recited in claim 73, the present invention relates to a method for operating a user communication device. In the method, an incoming call signal transmitted by another device that is making a call to the first device is received. That call signal includes an identifier identifying the other device and a signal representing a corresponding user-perceptible alerting signal that is to be generated in response to a call being received from that other device. Then, the identifier is stored in association with the signal in a memory of the first device, and the user-perceptible alerting signal is generated in response to the call being received.

Independent claim 77 is also related to a method for operating a communication device. Independent claims 80, 81 and 86 all relate to a user communication device as such. All of those claims recite many of the salient features discussed above with respect to claim 1. In particular, all of those claims recite receiving an incoming call from a calling source that includes both an identifier and information representing a user-perceptible alerting signal in response to the incoming call being received from the calling source.

Armanto is directed at a technique for providing a mobile telephone with new ring tones, and specifically to a technique that provides new ring tones in a wireless fashion, using the

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conventional Short Message Service (SMS). Armanto, however, is only concerned with transmitting ring tones to the mobile telephone, so that the user is not required to program ring tones by himself/herself or take the phone to a retail outlet for programming. See col. 15: 21-25. Armanto does not teach or suggest anything about using the ring tone to identify the incoming message that carries it.

That this is so is plain from the text of Armanto, which reads in pertinent part as follows:

If the received message has an identifier, which indicates that it is a ringing tone, the DU processor 8 will perform a transformation of the binary characters into ASCII characters and further the transformation of the ASCII characters into a ringing tone in permanent memory 14.

* * *

If there are no errors, the ringing tone sequence is stored in the ringing tone memory 14 as a ringing tone, in which case the reception of the short message will be displayed to a user as a received ringing tone.

Col. 11:30-45. As can be readily seen, Armanto is only concerned with storing the transmitted ring tone in the phone, and not using the ring tone to indicate that there is an incoming message. To the contrary, the reception of the message is displayed to the user, in a visual fashion that does not use the transmitted ring tone at all.

In the subject matter of claims 73, 77, 80, 81 and 86, in stark contrast, a user-perceptible alerting signal is generated in response to a call being received. Because this feature is

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completely absent from Armanto, Armanto cannot possibly anticipate or render obvious those claims.

The Rejection Of The Dependent Claims

All remaining claims depend from one of the independent claims discussed above, and each partakes in the novelty and non-obviousness of its respective base claim. In addition, each recites additional patentable features of the present invention, and individual reconsideration of each is respectfully requested.

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CONCLUSION

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and passage to issue of the present application.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 07-2347. If an extension of time under 37 C.F.R. § 1.136 not accounted for above is required, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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